FIFTIETH DAY.

(Continued.)

(Tuesday, May 5, 1925.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

HOUSE BILL NO. 508 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its passage to

engrossment,

H. B. No. 508, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, as follows, to-wit: The Agricultural and Mechanical College of Texas, State Experimental Station; the North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso; College of Industrial Arts; Texas Technological College; East Texas State Teachers College at Commerce; North Texas State Teachers College at Denton; Sam Houston State Teachers College at Huntsville; Stephen F. Austin State Teachers College at Nacogdoches; the Texas College of Arts and Industries at Kingsville; Southwest Texas State Teachers College at San Marcos; Sul Ross State Teachers College at Alpine; West Texas State Teachers College at Canyon; Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. Sanders, and amendment by Mr. Petsch to the amendment, pending. The House having agreed to consider the amendment by Mr. Petsch item by item.

(Mr. Keller in the chair.)

Mr. Savage moved the previous question on the section of the amendment relative to the School of Mines at El Paso, and the main question was ordered.

Question recurring on the amend- Hill. ment, yeas and nays were demanded. Holland.

The amendment was adopted by the following vote:

Yeas—70.

Adamson. Hoskins. Albritton. Hughes. Johnson of Morris. Alsup. Barron. Justiss. Bedford. Kayton. Bounds. Kennedy. Boyd. Lasseter. Bradley. Lee. Brice. Magee. Mathis. Bryant. Burns Metcalfe. of McCulloch. Munson. Carpenter. Murphy. Coltrin. Ratliff. Coombes. Richardson. Cox of Lamar. Rogers. Daniel. Savage. Davis. Scott. DeWolfe. Sherrill. Smith of Bastrop. Dodd. Smith of Wood. Donnell. Elliott. Sparkman. Farrar. Stephens. Stevenson. Ferguson. Strong. Finn. Fisher. Terrell Ford. of Cherokee. Gilbert. Towery. Goodman. Veatch. Wagstaff. Graves. Walker. Greathouse. Weinert. Grogan. West of Coryell. Hanson. Westbrook. Harman. Hefley. Wiggs. Wyatt. Hines.

Nays-55.

Mr. Speaker. Hubbard. Adams of Harris. Jackson. Adams of Jasper. Johnson of Dallam. Adkins. Anderson. Johnson of Dimmit. Baker. Jones of Shelby. Beck. Jones of Atascosa. Burns of Walker. Keller. Caven. Claunch. Lemens. Cox of Limestone. Leonard. Lockhart. Dowell. McCombs. Dunlap. MsDougald. Duvall. Dwyer. McGill. Farmer. McGregor. Martin. Forbes. Mehl. Giles. Moffett. Harrison Moore. of El Paso. Nicholson. Hatchitt. Olsen. Hill.

O'Quinn.

Patterson. Ramsey. Reader. Rountree. Sanders.

Terrell of Val Verde. Turner.

Warwick.
West of Cameron.

Steward.

Satterwhite. Shelton.

Present-Not Voting.

Holder.

Absent.

Laird. Akin. Bond. Lilley. Brooks. Long. Dale. Petsch. Engelhard. Pope. Fuchs. Ray. Harrison Sullivant. of Waller. Tarwater. Herzik. Van Zandt. Young. Holloway.

Absent—Excused.

Cunningham. Hardy. Morse. Vaughan.

Howsley.

Paired.

Mr. Holder (present), who would vote "nay," with Mr. Harman (absent), who would vote "yea."

Mr. Savage moved to reconsider the vote by which this section of the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Beck moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question next recurring on the section of the amendment relative to the College of Industrial Arts at Denton, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas-44.

Adams of Harris. Cox of Lamar. Adamson. Dodd. Adkins. Elliott. Akin. Ferguson. Albritton. Fisher. Alsup. Ford. Barron. Gilbert. Bounds. Goodman. Brice. Graves. Brooks. Grogan. Claunch. Hanson. Coombes. Harman.

Harrison Savage. of Waller. Scott. Holloway. Smith of Wood. Johnson of Morris. Stephens. Kayton. Strong. Lee. Tarwater. Mathis. Towery. Weinert. Munson. West of Coryell. Pope. Richardson. Westbrook. Rogers.

Nays-74.

Mr. Speaker. Jones of Shelby. Adams of Jasper. Jones of Atascosa. Baker. Justiss. Kennedy. Beck. Bedford. Lemens. Leonard. Boyd. Bradley. Lockhart. McCombs. Bryant. Burns of Walker. McDougald. McGill. Burns of McCulloch. McGregor. Carpenter. Magee. Caven. Martin. Coltrin. Mehl. Cox of Limestone. Metcalfe. Dale. Moore. Davis. Murphy. DeWolfe. Olsen. O'Quinn. Donnell. Patterson. Dowell. Dunlap. Ratliff. Reader. Dwyer. Engelhard. Sanders. Satterwhite. Farmer. Finn. Shelton. Sherrill. Forbes. Giles. Smith of Bastrop. Greathouse. Sparkman. Harrison Steward. of El Paso. Terrell Hatchitt. of Cherokee. Terrell Hines. of Val Verde. Holland. Turner. Hoskins. Wagstaff. Hubbard. Walker. Hughes. Jackson. Warwick. West of Cameron. Johnson of Dallam. Wyatt.

Present—Not Voting.

Holder. Nicholson.

Johnson of Dimmit.

Veatch.

Absent.

Anderson. Hefley.
Bond. Herzik.
Daniel. Hill.
Duvall. Keller.
Farrar. Laird.
Fuchs. Lilley.

Long. Moffett. Petsch. Ramsey. Ray.

Rountree. Sullivant. Van Zandt. Wiggs. Young.

Absent—Excused.

Cunningham. Hardy. Howsley. Lasseter.

Morse. Stevenson. Vaughan.

Paired.

Mr. Holder (present), who would vote "nay," with Mr. Petsch (absent), who would vote "yea."

Question—Shall the section of the amendment relative to the Texas College of Arts and Industries at Kingsville be adopted?

(Mr. Keller in the chair.)

ADOPTING JOINT RULES.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Adopting Joint Rules of the House and Senate.

Be it resolved by the Senate of Texas, the House of Representatives concurring: That the Joint Rules of the Senate and House, adopted by the Forty-first Legislature, be adopted as the Joint Rules of the Senate and House of the Forty-second Legislature until amended or changed by action of both the Senate and House.

The resolution having heretofore been read second time and referred to the Committee on Rules.

Mr. Van Zandt offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 1 by adding after the word "adopted" in line 4 the following: "and made applicable."

The amendment was adopted.

Question recurring on the resolution, it was adopted by the following vote:

Yeas—107.

Adams of Harris. Boyd. Adams of Jasper. Brice. Adamson. Brooks. Adkins. Bryant. Albritton. Carpenter. Alsup. Claunch. Coltrin. Anderson. Baker. Coombes. Cox of Lamar. Beck. Cox of Limestone. Bedford. Bounds. Dale.

Daniel. Davis. Dodd. Donnell. Dowell. Duvall. Dwyer. Elliott. Engelhard. Farmer. Farrar. Ferguson. Fisher. Forbes. Ford. Fuchs. Giles. Goodman. Graves. Grogan. Hanson. Harrison of El Paso. Harrison of Waller. Hatchitt. Hefley. Herzik. Hill. Holloway. Hoskins. Howsley. Hubbard. Hughes. Jackson. Johnson of Dimmit. Johnson of Morris. Wagstaff. Jones of Shelby. Jones of Atascosa. Justiss. Kayton. Kennedy. Laird. Lee.

McCombs. McGill. Magee. Martin. Mehl. Metcalfe. Moore. Murphy. Olsen. O'Quinn. Patterson. Ratliff. Ray. Richardson. Rogers. Rountree. Sanders. Satterwhite. Savage. Scott. Shelton. Sherrill. Smith of Bastrop. Smith of Wood. Sparkman. Steward. Strong. Sullivant. Tarwater. Terrell of Cherokee. Terrell of Val Verde. Turner. Van Zandt. Veatch. Walker. Warwick. Weinert.

West of Coryell. West of Cameron.

Westbrook.

Wyatt.

Lockhart.

Absent.

Akin. Barron. Bond. Bradley. Burns of Walker. Burns of McCulloch. Caven. DeWolfe. Dunlap. Finn. Gilbert. Greathouse. Harman. Hines. Holder. Holland. Johnson of Dallam.

Keller. Lemens. Leonard. Lilley. Long. McGregor. Mathis. Moffett. Munson. Nicholson. Petsch. Pope. Ramsey. Reader. Stephens. Towery. Wiggs. Young.

Absent—Excused.

Cunningham. Hardy. Lasseter. McDougald. Morse. Stevenson. Vaughan.

HOUSE BILL NO. 100, WITH SENATE AMENDMENTS.

Mrs. Strong called up from the Speaker's table, with Senate amendments, for considertaion of the amendments,

H. B. No. 100, A bill to be entitled "An Act to qualify certain consolidated school districts to receive bonuses and transportation aid under the provisions of the Rural Aid Law for the 1929-31 biennium; authorizing and directing the State Superintendent of Public Instruction to pay such aid out of the current State aid appropriation, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mrs. Strong, the House concurred in the Senate amendments by the following vote:

Yeas-109.

Elliott. Adams of Harris. Adams of Jasper. Engelhard. Adamson. Farmer. Adkins. Farrar. Akin. Ferguson. Albritton. Fisher. Forhes Alsup. Anderson. Giles. Baker. Goodman. Beck. Graves. Bond. Grogan. Bounds. Hanson. Boyd. Harman. Bradley. Harrison Brice. of El Paso. Brooks. Harrison Bryant. of Waller. Burns of Walker. Hatchitt. Hefley. Carpenter. Claunch. Herzik. Coltrin. Hill. Coombes. Holloway. Cox of Lamar. Hoskins. Cox of Limestone. Hubbard. Dale. Hughes. Daniel. Jackson. Johnson of Morris. Jones of Shelby. Davis: Dodd. Jones of Atascosa. Donnell. Dowell. Justiss. Dunlap. Kayton. Duvall. Keller. Dwyer. Kennedy.

Laird. Scott. Lee. Sherrill. Lockhart. Smith of Wood. McCombs. Sparkman. McGill. Steward. McGregor. Strong. Magee. Sullivant. Martin. Tarwater. Mathis. Terrell Mehl. of Cherokee. Terrell Metcalfe. of Val Verde. Moore. Towery. Munson. Murphy. Turner. Veatch. Olsen. Walker. O'Quinn. Patterson. Warwick. Pope. Weinert. West of Coryell. West of Cameron. Ratliff. Richardson. Westbrook. Rogers. Rountree. Wyatt. Satterwhite. Young. Savage.

Absent.

Barron. Leonard. Bedford. Lilley. Long. Burns of McCulloch. Moffett. Caven. Nicholson. DeWolfe. Petsch. Finn. Ramsey. Ford. Ray. Reader. Fuchs. Gilbert. Sanders. Greathouse. Shelton. Smith of Bastrop. Hines. Holder. Stephens. Holland. Van Zandt. Wagstaff. Johnson of Dallam. Wiggs. Lemens.

Absent-Excused.

Cunningham. Lasseter.
Hardy. McDougald.
Howsley. Morse.
Johnson Stevenson.
of Dimmit. Vaughan.

LEAVES OF ABSENCE GRANTED.

On motion of Mr. Howsley, the following members were granted leaves of absence for today, on account of important committee work: Messrs. Johnson of Dimmit, McDougald, Lasseter and Howsley.

Mr. Jones of Atascosa was granted leave of absence for yesterday on account of important business, on motion of Mr. Wyatt.

Mr. Harman was granted leave of

absence for yesterday on account of important business, on motion of Mr. Ford.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

- Sir: I am directed by the Senate to inform the House that the Senate has adopted
- S. S. R. No. 135, Requesting the House to return House bill No. 536 for further consideration.

The Senate has passed

- S. B. No. 589, A bill to be entitled "An Act providing that the Legislature shall make appropriations for the compensation of the members of the Board of Water Engineers and fix such compensation, and repealing Article 7482 of the Revised Civil Statutes of 1925; amending Article 7485 of the Revised Civil Statutes so as to provide for the fixing of the compensation of the secretary of said Board and declaring an emergency."
- H. B. No. 98, A bill to be entitled "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency."
- H. B. No. 402, A bill to be entitled "An Act to authorize the payment of the apportionment of the State and county available school fund, and additional tuition if necessary, to public schools in Louisiana, Arkansas, Oklahoma and New Mexico for the benefit of children who reside in Texas school districts on the border of such States; repealing all laws in conflict herewith, and declaring an emergency," with amendments.
- H. B. No. 536, A bill to be entitled "An Act to repeal Article 7065 and to amend Articles 7065a, e and j, Section 17, Chapter 88, House bill No. 6, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency.
- H. B. No. 796, A bill to be entitled "An Act to amend Article 3902 of the Revised Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 92, page 225, providing for the appointment and compensation of first assistants, heads of departments, other assistants, stenographers, clerks and investigators, in the office of the county attorney and county available school fund, and in any county having a population of additional tuition if necessary, to

more than 130,000 and less than 150,000 inhabitants, as shown by the latest United States census, and containing two cities of 50,000 or more population, each, as shown by said census, said county composing two or more judicial districts and having no district attorney, by adding Section 3902e; repealing all laws and parts of laws in conflict with the amendment herewith provided for, and declaring an emergency," with amend-

- H. B. No. 991, A bill to be entitled "An Act to amend Article 1307 of the Revised Civil Statutes of 1925, and legalizing and validating certain notices heretofore given, and declaring an emergency."
- H. B. No. 932, A bill to be entitled "An Act authorizing the county boards of certain counties to set aside an amount not to exceed \$600 to defray the expenses of the county superintendent and the county board of trustees in the administration of scholastic affairs, repealing all laws in conflict herewith, and declaring an emergency."
- S. B. No. 163, A bill to be entitled "An Act to amend Section 23 of an act authorizing the creation of corporations for the purpose of compiling and/or owning an abstract plant, approved February 27, 1929, and being Chapter 40 of the Acts of the Regular Session of the Fortyfirst Legislature, by substituting liability on directors instead of on stockholders, and declaring an emergency.'

Respectfully, BOB BARKER, Secretary of the Senate.

GRANTING REQUEST OF THE SENATE.

On motion of Mr. Hubbard, the House granted the request of the Senate for the return of House bill No. 536 for further consideration by the Senate.

HOUSE BILL NO. 402, WITH SEN-ATE AMENDMENTS.

Mr. Dale called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 402, A bill to be entitled "An Act to authorize the payment of the apportionment of the State public schools in Louisiana, Arkansas, Oklahoma and New Mexico for the benefit of children who reside in Texas school districts on the border of such States; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments

were read.

On motion of Mr. Dale, the House concurred in the Senate amendments by the following vote:

Yeas-114.

Mr. Speaker. Harrison Adams of Harris. of Waller. Adams of Jasper. Hatchitt. Adamson. Hefley. Adkins. Herzik. Holder. Akin. Alsup. Holland. Holloway. Anderson. Baker. Hoskins. Barron. Hughes. Beck. Jackson. Bedford. Johnson Bond. of Dallam. Johnson of Morris. Bounds. Boyd. Jones of Shelby, Bradley. Kayton. Brice. Keller. Brooks. Kennedy. Bryant. Laird. Burns of Walker. Lee. Carpenter. Lemens. Caven. Leonard. Claunch. Lockhart. Coltrin. McDougald. Coombes. McGregor. Cox of Lamar. Magee. Cox of Limestone. Martin. Dale. Mathis. Davis. Mehl. DeWolfe. Metcalfe. Dodd. Moore. Dowell. Munson. Dwyer. Murphy. Elliott. Olsen. Ratliff. Farmer. Farrar. Reader. Ferguson. Richardson. Fisher. Rogers. Forbes. Rountree. Ford. Sanders. Fuchs. Satterwhite. Gilbert. Savage. Scott. Giles. Goodman. Shelton. Graves. Sherrill. Smith of Bastrop. Greathouse. Grogan. Smith of Wood. Sparkman. Hanson. Harman. Stephens. Harrison Steward. of El Paso. Strong.

Sullivant. Walker. Tarwater. Warwick. Terrell Weinert. of Cherokee. West of Coryell. Terrell Westbrook. of Val Verde. Wiggs. Towery. Wyatt. Veatch. Young. Wagstaff.

Nays-2.

Albritton.

McCombs.

Absent.

Burns Long. McĞill. of McCulloch. Daniel. Moffett. Donnell. Nicholson. Dunlap. O'Quinn. Duvall. Patterson. Engelhard. Petsch. Finn. Pope. Hill. Ramsey. Hines. Ray. Hubbard. Turner. Van Zandt. Jones of Atascosa. West of Cameron. Justiss. Lilley.

Absent—Excused.

Cunningham. Lasseter.
Hardy. Morse.
Howsley. Stevenson.
Johnson Vaughan.

of Dimmit.

HOUSE BILL NO. 335, WITH SEN-ATE AMENDMENTS.

Mr. Murphy called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 335, A bill to be entitled "An Act to amend Chapter 314, General Laws of the State of Texas, Forty-first Legislature, Regular Session, as amended at the Second Called Session thereof, so as to further regulate motor carriers transporting property over the public highways, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Murphy moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

Mr. McCombs moved that the House concur in the Senate amendments.

Question first recurring on the motion by Mr. McCombs, it was lost.

Question next recurring on the motion by Mr. Murphy, it prevailed by the following vote:

Yeas-102.

Adams of Harris. Johnson Adams of Jasper. of Dimmit. Johnson of Morris. Jones of Shelby. Adamson. Adkins. Jones of Atascosa. Akin. Albritton. Justiss. Kayton. Alsup. Baker. Kennedy. Barron. Laird. Beck. Lee. Bedford. Lemens. Bond. Leonard. Bounds. McDougald. McGill. Boyd. Brice. McGregor. Brooks. Magee. Brvant. Martin. Burns of Walker. Metcalfe. Carpenter. Moffett. Caven. Moore. Claunch. Munson. Coltrin. Murphy. Cox of Limestone. Olsen. Daniel. Pope. Ratliff. Davis. DeWolfe. Rogers. Dodd. Rountree. Dwyer. Sanders. Elliott. Satterwhite. Farmer. Savage. Farrar. Scott. Ferguson. Shelton. Fisher. Sherrill. Forbes. Smith of Wood. Ford. Sparkman. Fuchs. Steward. Gilbert. Strong. Giles. Sullivant. Goodman. Tarwater. Terrell of Cherokee. Graves. Towery. Greathouse. Turner. Grogan. Hanson. Veatch. Harman. Wagstaff. Harrison Walker. of El Paso. Warwick. Weinert. Harrison of Waller. West of Coryell. Hefley. Westbrook.

Nays—3.

Anderson. Hatchitt.

Hoskins.

Hughes.

Jackson.

Johnson of Dallam.

McCombs.

Wiggs.

Wyatt.

Young.

Absent.

Bradley. Lilley. Burns Lockhart. of McCulloch. Long. Mathis. Coombes. Cox of Lamar. Mehl. Dale. Nicholson. Donnell. O'Quinn. Dowell. Patterson. Dunlap. Petsch. Duvall. Ramsey. Ray. Engelhard. Reader. Finn. Herzik. Richardson. Hill. Smith of Bastrop. Hines. Stephens. Holder. Terrell of Val Verde. Holland. Holloway. Van Zandt. Hubbard. West of Cameron. Keller.

Absent—Excused.

Cunningham. Morse.
Hardy. Stevenson.
Howsley. Vaughan.
Lasseter.

HOUSE BILL NO. 336, WITH SENATE AMENDMENTS.

Mr. Murphy called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public highways, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Murphy moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

HOUSE BILL NO. 796, WITH SENATE AMENDMENTS.

Mr. McDougald called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 796, A bill to be entitled "An Act to amend Article 3902 of the Revised Statutes of 1925, as amended by the Acts of 1929, Forty-

first Legislature, Chapter 92, page 225, providing for the appointment and compensation of first assistants, heads of departments, other assistants, stenographers, clerks and investigators in the office of the county attorney in any county having a population of more than 130,000 and less than 150,000 inhabitants, as shown by the latest United States census, and containing two cities of 50,000 or more population, each, as shown by said census, said county composing two or more judicial districts, and having no district attorney, by adding Section 3902e; repealing all laws and parts of laws in conflict with the amendment herewith provided for, and declaring an emergency.

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. McDougald, the House concurred in the Senate amendments by the following vote:

Yeas-105.

Adams of Harris, Giles. Adams of Jasper. Goodman. Adamson. Graves. Adkins. Greathouse. Akin. Grogan. Albritton. Hanson. Alsup. Harman. Anderson. Harrison Baker. of El Paso. Harrison Barron. Beck. of Waller. Bedford. Hatchitt. Hefley. Bond. Bounds. Hoskins. Bovd. Hughes. Brice. Jackson. Brooks. Johnson Bryant. of Dallam. Burns of Walker. Johnson Carpenter. of Dimmit. Johnson of Morris. Caven. Claunch. Jones of Shelby. Jones of Atascosa. Coltrin. Cox of Limestone. Justiss. Daniel. Kayton. Davis. Kennedy. DeWolfe. Laird. Dodd. Lee. Dwyer. Lemens. Elliott. Leonard. McCombs. Farmer. Farrar. McDougald. Ferguson. McGill. Fisher. McGregor. Forbes. Magee. Ford. Martin. Fuchs. Metcalfe. Gilbert. Moffett.

Moore. Strong. Munson. Sullivant. Tarwater. Murphy. Olsen. Terrell of Cherokee. Pope. Towery. Ratliff. Rogers. Turner. Veatch. Rountree. Wagstaff. Sanders. Satterwhite. Walker. Savage. Warwick. Weinert. Scott. West of Coryell. Shelton. Sherrill. Westbrook. Smith of Wood. Wiggs. Sparkman. Wyatt. Steward. Young.

Present-Not Voting.

Stephens.

Absent.

Bradley. Keller. Burns Lilley. of McCulloch. Lockhart. Coombes. Long. Mathis. Cox of Lamar. Mehl. Dale. Donnell. Nicholson. O'Quinn. Dowell. Patterson. Dunlap. Petsch. Duvail. Engelhard. Ramsey. Finn. Ray. Reader. Herzik. Hill. Richardson. Hines. Smith of Bastrop. Holder. Terrell of Val Verde. Van Zandt. Holland. Holloway. West of Cameron. Hubbard.

Absent-Excused.

Cunningham. Morse.
Hardy. Stevenson.
Howsley. Vaughan
Lasseter.

SENATE BILLS ON FIRST READ-ING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 163, to the Committee on Municipal and Private Corporations.

Senate bill No. 589, to the Committee on Appropriations.

BILL RE-REFERRED.

On motion of Mr. McCombs, Senate bill No. 163 was withdrawn from

the Committee on Municipal and Private Corporations and referred to the Committee on Insurance.

RECESS.

On motion of Mr. Albritton, the House, at 12:10 o'clock p. m., took recess until 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 508 ON PAS-SAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 508, making appropriations for the support of various educational institutions of the State of Texas, on its passage to engrossment, the bill having heretofore been read second time, with committee amendment by Mr. Sanders, and an amendment by Mr. Petsch to the committee amendment, pending.

The House having agreed to consider the amendment by Mr. Petsch item by item.

The House having under consideration at this time the section of the amendment relative to the College of Arts and Industries at Kingsville, Texas.

Question recurring on this section of the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—63.

Adamson. Ferguson. Akin. Finn. Albritton. Fisher. Alsup. Ford. Barron. Goodman. Beck. Graves. Bedford. Greathouse. Bounds. Grogan. Boyd. Hanson. Brice. Hefley. Burns Herzik. of McCulloch. Holland. Coombes. Hoskins. Cox of Lamar. Howslev. Dale. Hughes. Daniel. Johnson of Morris. Donnell. Jones of Shelby. Justiss. Elliott. Farrar. Kayton.

Kennedy. Sparkman. Laird. Stephens. Strong. Lee. Mathis. Terrell Metcalfe. of Cherokee. Munson. Terrell of Val Verde. Murphy. Ratliff. Towery. Richardson. Turner. Veatch. Rogers. Wagstaff. Savage. Walker. Scott. Sherrill. Weinert. Smith of Wood. West of Coryell.

Nays-48.

Mr. Speaker. Leonard. Adams of Jasper. Lockhart. Adkins. McGill. Baker. McGregor. Bryant. Martin. Moore. Carpenter. Olsen. Caven. Claunch. O'Quinn. Coltrin. Patterson. Cox of Limestone. Pope. Dodd. Ramsey. Ray. Dunlap. Reader. Dwyer. Rountree. Farmer. Forbes. Sanders. Satterwhite. Gilbert. Shelton. Giles. Smith of Bastrop. Harrison of El Paso. Steward. Sullivant. Harrison of Waller. Warwick. Hatchitt. West of Cameron. Westbrook. Johnson of Dallam. Wyatt. Jones of Atascosa, Young. Lemens.

Present-Not Voting.

Absent.

Holder. Nicholson.

Tarwater.

Adams of Harris. Hines. Holloway. Anderson. Hubbard. Bond. Bradley. Jackson. Brooks. Keller. Burns of Walker. Lilley. Long. McCombs. Davis. DeWolfe. Dowell. Magee. Duvall. Mehl. Engelhard. Moffett. Fuchs. Petsch. Van Zandt. Harman. Wiggs. Hill

Absent—Excused.

Cunningham. Hardy.

Johnson
of Dimmit.
Lasseter.
McDougald.

Morse. Stevenson. Vaughan.

Paired.

Mr. Holder (present), who would vote "nay," with Mr. Petsch (absent), who would vote "yea."

(Mr. McGill in the chair.

Question recurring on the section of the amendment relative to the North Texas State Teachers College at Denton, Texas, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: yeas 65, nays 64.

Mr. Beck called for a verification of the vote:

The roll of the yeas and nays was then called, and the verified vote announced as follows:

Yeas-65.

Adams of Harris. Harrison of Waller. Adamson. Hefley. Akin. Albritton. Herzik. Hines. Alsup. Baker. Hoskins. Barron. Justiss. Kayton. Bedford. Bond. Kennedy. Laird. Bounds. Boyd. Lee. Mathis. Brice. Moffett. Bryant. Munson. Burns of McCulloch. Petsch. Coombes. Pope. Cox of Lamar. Richardson. Dale. Rogers. Daniel. Savage. DeWolfe. Scott. Sherrill. Dodd. Smith of Wood. Donnell. Elliott. Sparkman. Farrar. Stephens. Ferguson. Stevenson. Fisher. Terrell of Cherokee. Ford. Gilbert. Towery. Goodman. Veatch. Walker. Graves. Weinert. Greathouse. West of Corvell. Grogan. Westbrook. Hanson. Harman. Wiggs.

Nays-64.

Mr. Speaker. Adkins. Adams of Jasper. Beck.

Burns of Walker. McGill. Carpenter. McGregor. Magee. Caven. Claunch. Martin. Mehl. Coltrin. Cox of Limestone. Metcalfe. Dowell. Moore. Dunlap. Murphy. Duvall. Olsen. O'Quinn. Dwyer. Patterson. Farmer. Ramsey. Forbes. Ratliff. Fuchs. Ray. Giles. Harrison Reader. Rountree. of El Paso. Hatchitt. Sanders. Satterwhite. Hubbard. Shelton. Hughes. Smith of Bastrop. Jackson. Steward. Johnson of Dallam. Strong. Johnson Sullivant. Tarwater. of Dimmit. Johnson of Morris. Terrell of Val Verde. Jones of Shelby. Turner. Keller. Wagstaff. Lemens. Warwick. Leonard. West of Cameron. Lilley. Wyatt. Lockhart. McDougald. Young.

Absent.

Anderson.
Bradley.
Brooks.
Davis.
Engelhard.
Finn.
Hill.
Holder.
Holland.
Holloway.
Jones of Atascosa.
Long.
McCombs.
Nicholson.
Van Zandt.

•

Absent-Excused.

Cunningham. Lasseter. Hardy. Morse. Vaughan.

The Speaker announced that the amendment was adopted.

Mr. Westbrook moved to reconsider the vote by which the amendment was adopted.

Mr. Akin moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas--65.

Adams of Harris. Baker.
Adamson. Barron.
Akin. Bond.
Albritton. Bounds.
Alsup. Boyd.

Brice. Herzik. Bryant. Hines. Burns of Walker. Hoskins, Burns Justiss. of McCulloch. Kayton. Caven. Kennedy. Claunch. Lasseter. Coombes. Lee. Cox of Lamar. Mathis. Dale. Munson. Daniel. Petsch. DeWolfe. Pope. Dodd. Rogers. Donnell. Savage. Elliott. Scott. Sherrill. Farrar. Fisher. Sparkman. Ford. Fuchs. Stephens. Gilbert.

Harrison of Waller. Hefley.

Goodman.

Greathouse.

Graves.

Grogan.

Hanson.

Harman.

Keller.

Lemens.

Leonard.

Smith of Wood. Stevenson. Terrell of Cherokee. Towery. Veatch. Walker. Weinert. West of Coryell. West of Cameron.

Wiggs.

Nays-69.

Mr. Speaker. Lilley. Adams of Jasper. Lockhart. McCombs. Adkins. McDougald. Anderson. McGill. Beck. Bedford. McGregor. Carpenter. Magee. Coltrin. Cox of Limestone. Martin. Mehl. Dowell. Metcalfe. Dunlap. Moffett. Duvall. Moore. Dwyer. Murphy. Farmer. Olsen. Ferguson. O'Quinn. Forbes. Patterson. Giles. Ramsey. Harrison Ratliff. of El Paso. Ray. Hatchitt. Reader. Richardson. Hill. Holloway. Rountree. Hubbard. Sanders. Hughes. Satterwhite. Jackson. Shelton. Johnson Smith of Bastrop. of Dallam. Steward. Johnson Strong. of Dimmit. Sullivant. Johnson of Morris. Tarwater. Jones of Shelby. Terrell of Val Verde. Jones of Atascosa.

Turner.

Wagstaff.

Warwick.

Westbrook. Wyatt.

Young.

Present—Not Voting.

Nicholson.

Absent.

Bradley. Holder. Brooks. Holland. Davis. Laird. Long. Van Zandt. Engelhard. Finn.

Absent—Excused.

Cunningham. Hardy. Howsley.

Morse. Vaughan.

Question then recurring on the motion to reconsider the vote by which the amendment was adopted, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas-64.

Mr. Speaker. McDougald. Adams of Jasper. McGill. McGregor. Adkins. Anderson. Magee. Martin. Beck. Bedford. Mehl. Metcalfe. Coltrin. Cox of Limestone. Moore. Dowell. Murphy. Dunlap. Olsen. O'Quinn. Duvall. Patterson. Dwyer. Ramsey. Farmer. Ratliff. Forbes. Giles. Ray. Reader. Harrison of El Paso. Richardson. Hatchitt. Rountree. Hill. Sanders. Satterwhite. Hubbard. Shelton. Hughes. Smith of Bastrop. Jackson. Johnson Steward. of Dallam. Strong. Sullivant. Johnson Tarwater. of Dimmit. Jones of Shelby. Terrell of Val Verde. Jones of Atascosa. Turner. Keller. Wagstaff. Lemens.

Nays—71.

Warwick.

Wyatt.

Westbrook.

West of Cameron.

Adams of Harris. Akin. Albritton. Adamson.

Leonard.

Lockhart.

McCombs.

Lilley.

Alsup.	Hefley.
Baker.	Herzik.
Barron.	Hines.
Bond.	Holloway.
Bounds.	Hoskins.
Boyd.	Johnson of Morris
Brice.	Justiss.
Bryant.	Kayton.
Burns of Walker.	Kennedy.
Burns	Laird.
of McCulloch.	Lasseter.
Carpenter.	Lee.
Caven.	Long.
Claunch.	Mathis.
Coombes.	Moffett.
Cox of Lamar.	Munson.
Dale.	Petsch.
Daniel.	Pope.
DeWolfe.	Rogers.
Dodd.	Savage.
Donnell.	Scott.
Elliott.	Sherrill.
Farrar.	Smith of Wood.
Ferguson.	Sparkman.
Fisher.	Stephens.
Ford.	Stevenson.
Fuchs.	Terrell
Gilbert.	of Cherokee.
Goodman.	Towery.
Graves.	Veatch.
Greathouse.	Walker.
Grogan.	Weinert.
Hanson.	West of Coryell.
Harman.	Wiggs.
Harrison of Waller.	

Present-Not Voting.

Nicholson.

Absent.

Bradley.	Holder.
Brooks.	Holland.
Davis.	Van Zandt.
Engelhard.	Young.
Finn.	J .

Absent—Excused.

Cunningham.	Morse.
Hardy.	Vaughan.
Howelov	_

(Speaker in the chair.)

Question next recurring on the section of the amendment relating to the Southwest Texas Teachers College at San Marcos, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—71.

Adamson.	Bounds.
Akin.	Boyd.
Albritton.	Brice.
Alsup.	Bryant.
Barron.	Burns
Bedford.	of McCulloch.

Coombes. Kayton. Cox of Lamar. Kennedy. Cox of Limestone. Lee. Dale. Mathis. Daniel. Metcalfe. Moore. Davis. DeWolfe. Munson. Dodd. Murphy. Donnell. Pope. Ratliff. Dwyer. Elliott. Richardson. Farrar. Rogers. Ferguson. Savage. Scott. Finn. Sherrill. Fisher. Smith of Bastrop. Smith of Wood. Ford. Gilbert. Graves. Sparkman. Greathouse. Sullivant. Grogan. Terrell of Cherokee. Hanson. Terrell Harman. of Val Verde. Hefley. Towery. Van Zandt. Herzik. Hines. Veatch. Holland. Walker. Holloway. Howsley. Weinert. West of Coryell. Jackson. Johnson of Morris. Westbrook. Justiss. Wiggs.

Nays-46.

Jones of Atascosa. Mr. Speaker. Adams of Harris. Keller. Adams of Jasper. Lemens. Anderson. Lilley. Baker. Lockhart. Burns of Walker. McGill. Claunch. McGregor. Coltrin. Magee. Dowell. Moffett. Dunlap. Olsen. Duvall. O'Quinn. Farmer. Patterson. Forbes. Ramsey. Ray. Fuchs. Rountree. Giles. Harrison Sanders. of El Paso. Satterwhite. Shelton. Harrison of Waller. Steward. Hatchitt. Tarwater. Hill. Wagstaff. Warwick. Hughes. Johnson West of Cameron. of Dallam. Wyatt. Jones of Shelby.

Absent.

Adkins.	Caven.
Beck.	Engelhard.
Bond.	Goodman.
Bradley.	Holder.
Brooks.	Hoskins.
Carpenter.	Hubbard.

Laird. Petsch.
Leonard. Reader.
Long. Stephens.
McCombs. Strong.
Martin. Turner.
Mehl. Young.
Nicholson.

Absent—Excused.

Cunningham.
Hardy.
Johnson
of Dimmit.
Lasseter.

McDougald. Morse. Stevenson. Vaughan.

Question next recurring on the section of the amendment relative to the Stephen F. Austin State Teachers College at Nacogdoches, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—73.

Adams of Harris. Hanson. Adamson. Harman. Adkins. Harrison Akin. of Waller. Albritton. Hefley. Alsup. Herzik. Anderson. Hines. Holder. Baker. Barron. Hoskins. Bedford. Johnson of Morris. Bounds. Justiss. Boyd. Kayton. Brice. Kennedy. Brooks. Lee. Mathis. Bryant. Burns of Walker. Metcalfe. Moffett. Burns of McCulloch. Munson. Carpenter. Ratliff. Coombes. Richardson. Cox of Lamar. Rogers. Cox of Limestone. Savage. Dale. Scott. Daniel. Sherrill. Davis. Smith of Bastrop. DeWolfe. Smith of Wood. Dodd. Sparkman.

Wiggs. Nays—44.

Stephens.

Stevenson.

Sullivant.

of Cherokee.

West of Corvell.

Terrell

Towery.

Veatch.

Weinert.

Westbrook.

Adams of Jasper. Bradley. Claunch.

Donnell.

Elliott.

Farrar.

Finn.

Ford.

Fisher.

Ferguson.

Goodman.

Greathouse.

Graves.

Grogan.

Coltrin. McGill. Dunlap. McGregor. Engelhard. Magee. Farmer. Moore. Forbes. Murphy. Harrison Olsen. of El Paso. O'Quinn. Ray. Hatchitt. Holland. Rountree. Holloway. Sanders. Hughes. Satterwhite. Jackson. Shelton. Johnson Steward. Tarwater. of Dallam. Jones of Shelby. Van Zandt. Jones of Atascosa. Wagstaff. Walker. Keller. Lemens. Warwick. Lilley. West of Cameron. Lockhart. Wyatt. McCombs. Young.

Absent.

Bond. Martin. Caven. Mehl. Dowell. Nicholson. Duvall. Patterson. Dwyer. Petsch. Fuchs. Pope. Gilbert. Ramsey. Giles. Reader. Hill. Strong. Hubbard. Terrell Laird. of Val Verde. Turner. Leonard. Long.

Absent—Excused.

Cunningham. Lasseter.
Hardy. McDougald.
Howsley. Morse.
Johnson Vaughan.
of Dimmit.

Reason for Vote.

I regret to vote against the appropriation for a new building at the Stephen F. Austin Teachers College at Nacogdoches. This institution is within twenty miles of my home, and local considerations would justify my voting for this appropriation, but the financial conditions of the State will not justify erecting any new buildings for educational institutions. I have consistently voted against all the appropriations for these buildings.

TERRELL of Cherokee.

Question recurring on the section of the amendment relative to the West Texas State Teachers College at Canyon, Texas, year and nays were demanded.

The amendment was lost by the following vote:

Yeas-48.

Herzik. Adams of Harris. Holder. Alsup. Holloway. Albritton. Hoskins. Baker. Howsley. Bedford. Johnson of Morris. Bond. Kayton. Long. Mathis. Brice. Carpenter. Cox of Lamar. Munson, Dale. Petsch. Richardson. Daniel. Davis. Rogers. Dodd. Savage. Farrar. Smith of Wood. Ferguson. Sparkman. Fisher. Stevenson. Ford. Strong. Graves. Terrell Greathouse. of Cherokee. Terrell

Grogan. Hanson.

Hanson. Harman. Harrison

of Waller. Hefley.

Hughes.

Jackson.

Warwick. Wyatt. West of Cameron. Young.

Present—Not Voting.

Sherrill.

Absent.

Anderson. Mehl Barron. Nicholson. Bradley. Pope. Brooks. Ramsev. Coombes. Reader. Engelhard. Scott. Jones of Atascosa. Shelton. Laird. Van Zandt. Lemens. Westbrook. Wiggs. Leonard. Martin.

Absent-Excused.

Cunningham. Morse. Hardy. Vaughan. Lasseter.

(Mr. Keller in the chair.)

Mr. Petsch moved to reconsider the vote by which the amendment relative to the North Texas Teachers College at Denton was adopted.

Mr. Daniel raised a point of order on further consideration of the motion, on the ground that the motion to reconsider is not in order for the reason that the House has already yoted on the motion to reconsider.

The Speaker sustained the point of order.

Mr. McGregor moved that Section 1 of Rule 15 be suspended at this time for the purpose of moving to reconsider the vote.

The motion was lost by the following vote:

Yeas-72.

Adams of Jasper. Harrison of Waller. Adkins. Beck. Hatchitt. Boyd. Herzik. Brvant. Hill. Holder. Carpenter. Holland. Coltrin. Cox of Limestone. Holloway. DeWolfe. Hoskins. Howsley. Donnell. Dowell. Hubbard. Dunlap. Hughes. Duvall. Jackson. Dwyer. Johnson of Dallam. Farmer. Finn. Johnson Forbes. of Dimmit. Johnson of Morris. Giles. Harrison Jones of Shelby. of El Paso. Jones of Atascosa.

Nays-74.

of Val Verde.

West of Coryell.

Veatch.

Weinert.

Adams of Jasper. Johnson Adamson. of Dallam. Adkins. Johnson of Dimmit. Beck. Bounds. Jones of Shelby. Boyd. Justiss. Bryant. Keller. Burns of Walker. Kennedy. Burns Lee. Lilley. of McCulloch. Caven. Lockhart. Claunch. McCombs. Coltrin. McDougald. Cox of Limestone. McGill. DeWolfe. McGregor. Donnell. Magee. Metcalfe. Dowell. Dunlap. Moffett. Duvall. Moore. Dwyer. Murphy. Elliott. Olsen. Farmer. O'Quinn. Finn. Patterson. Forbes. Ratliff. Fuchs. Ray. Gilbert. Rountree. Giles. Sanders. Goodman. Satterwhite. Harrison Smith of Bastrop. of El Paso. Stephens. Hatchitt. Steward. Hill. Sullivant. Hines. Tarwater. Holland. Towery. Hubbard. Turner.

Wagstaff.

Walker.

Satterwhite.

Lasseter. Shelton. Sherrill. Lee Smith of Bastrop. Lemens. Lilley. Steward. Lockhart. McCombs. Strong. Sullivant. McGill. Tarwater. McGregor. Terrell Metcalfe. of Val Verde. Moffett. Turner. Van Zandt. Moore. Wagstaff. Murphy. Warwick. Olsen. Weinert. West of Cameron. Patterson. Petsch. Ray. Westbrook. Rountree. Wvatt. Sanders. Young.

Nays---57.

Adams of Harris. Graves. Greathouse. Adamson. Akin. Grogan. Albritton. Hanson. Baker. Hefley. Barron. Hines. Bedford. Justiss. Bond. Kayton. Bounds. Kennedy. Brice. Long. Brooks. Magee. Burns of Walker. Mathis. Burns Munson. of McCulloch. Ratliff. Caven. Richardson. Claunch. Rogers. Coombes. Savage. Cox of Lamar. Scott. Dale. Smith of Wood. Daniel. Sparkman. Davis. Stephens. Dodd. Stevenson. Elliott. Terrell of Cherokee. Farrar. Towery. Ferguson. Fisher. Veatch. Ford. Walker. Fuchs. West of Coryell. Gilbert. Wiggs. Goodman.

Absent.

Alsup. Martin. Anderson. Mehl. Nicholson. Bradley. Engelhard. O'Quinn. Pope. Harman. Keller. Ramsey. Laird. Reader. Leonard.

Absent—Excused.

Cunningham. Hardy. McDougald.

Morse. Vaughan.

Mr. Albritton moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas-53.

Mr. Speaker. Kayton. Adams of Harris. Lee. Akin. Lemens. Albritton. Leonard. Alsup. McCombs. McGill. Baker. Beck. Metcalfe. Bedford. Moore. Burns of Walker. Olsen. Caven. Patterson. Dale. Rountree. Dodd. Sanders. Dowell. Satterwhite. Smith of Bastrop. Smith of Wood. Dwyer. Farrar. Finn. Stevenson. Fisher. Strong. Sullivant. Tarwater. Forbes. Ford. Fuchs. Turner. Gilbert. Van Zandt. Hefley. Veatch. Wagstaff. Hill. Holder. Walker. Holloway. West of Cameron. Hubbard. Westbrook. Johnson of Dimmit.

Nays—65.

Adams of Jasper. Farmer, Adamson. Ferguson. Adkins. Giles. Barron. Goodman. Bond. Greathouse. Bounds. Grogan. Boyd. Hanson. Harman. Brice. Harrison Brooks. of Waller. Bryant. Hatchitt. Burns of McCulloch. Herzik. Carpenter. Holland. Claunch. Hoskins. Hughes. Coltrin. Coombes. Jones of Shelby. Cox of Lamar. Cox of Limestone. Jones of Atascosa. Justiss. Daniel. Kennedy. Davis. Laird. DeWolfe. Lilley. Donnell. Lockhart. McDougald. Dunlap. Elliott. McGregor.

Magee.

Engelhard.

Moffett. Sparkman. Munson. Steward. Murphy. Terrell of Cherokee. Pope. Ratliff. Weinert. Richardson. West of Coryell. Wiggs. Rogers. Wyatt. Savage. Young. Scott.

Present-Not Voting.

Hines.

Absent.

Anderson. Mehl. Bradley. Nicholson. O'Quinn. Duvall. Graves. Petsch. Harrison Ramsey. of El Paso. Ray. Reader. Jackson. Johnson Shelton. of Dallam. Sherrill. Johnson of Morris. Stephens. Keller. Terrell of Val Verde. Long. Martin. Towery. Mathis. Warwick.

Absent—Excused.

Cunningham. Lasseter. Hardy. Morse. Vaughan.

Mr. Satterwhite offered the following amendment to the (committee) amendment:

Amend House bill No. 508 by adding line 39, page 119, by adding the following: "For Library Building, \$125,000 each year."

Question—Shall the amendment be adopted?

(Mr. McGill in the chair.)

HOUSE BILL NO. 536 WITH SEN-ATE AMENDMENTS.

Mr. Hubbard called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 536, A bill to be entitled "An Act to repeal Article 7065, and to amend Articles 7065a, 7065e and 7065j, Section 17, Chapter 88, House bill No. 6, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Hubbard, the House concurred in the Senate amendments by the following vote:

Yeas-121.

Adams of Harris. Johnson Adams of Jasper. of Dimmit. Adamson. Johnson of Morris. Adkins. Jones of Atascosa. Akin. Justiss. Albritton. Keller. Alsup. Kennedy. Baker. Laird. Barron. Lee. Beck. Lemens. Bedford. Leonard. Bounds. Lilley. Boyd. Lockhart. Brice. McDougald. Brooks. McGregor. Bryant. Magee. Burns of Walker. Martin. Burns Mathis. of McCulloch. Mehl. Carpenter. Metcalfe. Caven. Moffett. Claunch. Moore. Coltrin. Munson. Coombes. Murphy. Cox of Lamar. Olsen. Cox of Limestone. O'Quinn. Daniel. Patterson. DeWolfe. Petsch. Pope. Dodd. Donnell. Ramsey. Dowell. Ratliff. Ray. Dunlap. Dwyer. Reader. Elliott. Richardson. Farmer. Rogers. Farrar. Rountree. Ferguson. Sanders. Fisher. Satterwhite. Forbes. Savage. Ford. Scott. Fuchs. Shelton. Sherrill. Gilbert. Smith of Bastrop. Giles. Smith of Wood. Goodman. Grogan. Stevenson. Hanson. Steward. Strong. Harman. Sullivant. Harrison of El Paso. Tarwater. Harrison Terrell of Waller. of Cherokee. Terrell Hatchitt. of Val Verde. Hefley. Towery. Herzik. Hines. Turner. ${f Veatch}.$ Holland. Wagstaff. Holloway. Hoskins. Walker. Howsley. Warwick. Hubbard. Weinert. Hughes. West of Coryell. West of Cameron. Jackson. Westbrook. Johnson

of Dallam.

Young.

· Absent.

Anderson. Jones of Shelby. Bond. Kayton. Long. McCombs. Bradley. Dale. Davis McGill. Duvall. Nicholson. Engelhard. Sparkman. Stephens. Finn. Graves. Van Zandt. Greathouse. Wiggs. Wyatt. Hill. Holder.

Absent—Excused.

Cunningham. Hardy. Lasseter.

Morse. Vaughan.

BILL ORDERED NOT PRINTED.

On motion of Mr. Greathouse (by unanimous consent), House bill No. 1049 was ordered not printed.

HOUSE BILL NO. 555, WITH SEN-ATE AMENDMENTS.

Mr. Young called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 555, A bill to be entitled "An Act amending Article 2033, Revised Civil Statutes, 1925, permitting citation to be served on the local agents of individual or partnerships supplying gas, water, electricity or other service to villages, towns and cities, and declaring an emergency.

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Young, the House concurred in the Senate amendments.

MESSAGE FROM THE SENATE.

Senate Chamber. Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 536, A bill to be entitled "An Act to repeal Article 7065, and to amend Articles 7065a, e and j, Section 17, Chapter 88, House bill No. 6, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency," with amendments.

"An Act creating the Texas Bureau of Criminal Identification; providing for its organization, defining its powers and duties, and making an appropriation to carry out the provisions hereof, and declaring an emergency."

- S. B. No. 149, A bill to be entitled "An Act to amend Article 1058 of the Code of Criminal Procedure of the State of Texas, being Acts of 1930, Forty-first Legislature, Fourth Called Session, page 93, Chapter 52, Section 1, and an act to fix the compensation of grand jury bailiffs in counties having a population of one hundred and fifty thousand (150,000) or more, according to the 1930 census, or which may hereafter have such population, and providing for an allowance to compensate such bailiffs for automobile expenses and upkeep, and declaring an emergency.
- S. B. No. 240, A bill to be entitled "An Act to amend Article 396, Revised Civil Statutes of Texas, 1925, and declaring an emergency."
- S. B. No. 327, A bill to be entitled "An Act to amend Article 454, Chapter 7, Title 16, Revised Civil Statutes of Texas, 1925."
- S. B. No. 341, A bill to be entitled "An Act making it an offense for any person to enter any farm, garden, orchard, fruit or pecan grove in this State, with the intent to steal or carry away, without the consent of the owner, or to aid or assist in stealing or so carrying away any farm product, garden product, fruit or nuts, growing or gathered, etc., and declaring an emergency.'
- S. B. No. 512, A bill to be entitled "An Act amending Article 199, Title 8, page 11, Revised Civil Statutes of the State of Texas, passed at the Regular Session of the Forty-first Legislature, 1929, and declaring an emergency.
- S. B. No. 612, A bill to be entitled "An Act providing for the granting of certain easements to the United States government in a portion of the present and former bed of Sabine Lake in and adjacent to the Port Arthur Canal and the Sabine-Neches Canal; providing the means and manner thereof; providing exceptions and the purposes thereof, and declaring an emergency.'
- S. B. No. 234, A bill to be entitled S. B. No. 92, A bill to be entitled i "An Act amending Article 198, Title

8, of the Revised Civil Statutes of 1925, changing the said districts therein and creating the Twelfth Supreme Judicial District; providing for the appointment and qualifications of judges of said courts; providing for the terms and transfer of cases to said new courts; regulating appeals and other proceedings originating in Dallas county which are placed in the Fifth and Twelfth Districts; adjusting other districts in conformity with the creation of said new district; providing for the apportionment of appeals from the Fifth and Twelfth Districts; providing for quarters and library for said court, and declaring an emergency."

H. B. No. 31, A bill to be entitled "An Act amending Section 17, subdivision 3, of Article 7065n, House bill No. 6, Chapter 88, Second Called Session of the Forty-first Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due, and declaring an emergency."

Respectfully,

BOB BARKER, Secretary of the Senate.

CONFERENCE COMMITTEE RE-PORT ON HOUSE BILL NO. 159.

Mr. Martin submitted the following conference committee report on House bill No. 159:

Committee Room, Austin, Texas, April 30, 1931.

Hon. Edgar E. Witt, President of the Senate; Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your conference committee heretofore appointed to adjust the differences between the Senate and the House on House bill No. 159. being an act to authorize the county commissioners court in certain counties to increase the ex-officio salary of sheriffs in said counties, beg leave to report that we have agreed upon the differences between the two houses and in lieu of the original bill we have prepared and recommend for passage a substitute bill, which is hereto attached.

We beg to report that in adjusting the differences we have only rewritten the language of the bill so as to meet, in our judgment, the decision of the Supreme Court in a recent case, holding invalid certain local laws.

We further report that the bill as recommended by us will, at this time, apply only to the counties of Goliad and Coleman and that it is so worded as to meet the objections to local bills pointed out by the Supreme Court in a recent holding by that court.

We further report that the maximum amount which might be allowed to sheriffs in these counties for exofficio salaries is \$3000 per annum, the bill being so worded as to give to the commissioners court of said counties a discretion in fixing the amount to be allowed.

We therefore recommend that the attached substituted bill be passed, and that this report be in all things adopted.

WOODWARD,
STEVENSON,
WOODUL,
MARTIN,
HORNSBY,
On the part of the Senate.
JOHNSON,
FORD,
DWYER,
HOLLOWAY,
MARTIN,

On the part of the House.

H. B. No. 159.

Martin.

A BILL

To Be Entitled

An Act to amend Section 1 of Chapter 90, Acts of the Forty-first Legislature, First Called Session, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1, Chapter 90, of the Acts of the First Called Session of the Forty-first Legislature, be amended so as to hereafter read as follows:

"Section 1. In all counties having a population of not less than ten thousand and fifteen (10,015) and not more than ten thousand and forty (10,040) as shown by the United States census of 1920 or any subsequent Federal census and in all counties having a population of not less than ten thousand and eighty (10,080) and not more than eleven thousand and ten (11,-010), as shown by the United States ensus of 1930, or any subsequent Federal census, and in all counties having a population of not less than twentythree thousand six hundred and sixtynine (23,669) and not more than twenty-three thousand seven hundred

and fifty (23,750) according to the Federal census of 1930, or may hereafter have a population according to any subsequent Federal census of not less than twenty-three thousand six hundred and sixty-nine (23,669) nor more than twenty-three thousand seven hundred and fifty (23,750), the commissioners court may allow the sheriff for summoning jurors in district or county courts serving all legal notices to overseers of roads and for all other public service for which compensation is not otherwise provided for, an ex-officio allowance of not exceeding \$3000 per annum, the amount to be fixed by the commissioners court and to be paid out of the general fund of the county.

"Sec. 2. The fact that the sheriffs in the counties affected by this bill are not now adequately compensated for their services, and the further fact that this act makes provision for payment of adequate compensation by the commissioners court of counties concerned, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house, be and the same is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

On motion of Mr. Martin, the conference committee report was adopted by the following vote:

Yeas-109.

Adams of Harris. Dodd. Adams of Jasper. Donnell. Adamson. Dwyer. Adkins. Elliott. Akin. Farmer. Albritton. Farrar. Alsup. Ferguson. Anderson. Fisher. Baker. Forbes. Barron. Ford. Beck. Fuchs. Bedford. Gilbert. Bounds. Giles. Boyd. Goodman. Graves. Brice. Bryant. Greathouse. Burns of Walker. Grogan. Burns Hanson. of McCulloch. Harman. Claunch. Harrison Coltrin. of El Paso. Coombes. Harrison Cox of Lamar. of Waller. Cox of Limestone. Hatchitt. Dale. Hefley. Davis. Herzik.

Hill. Ray. Hines. Richardson. Holland. Rogers. Hoskins. Sanders. Howsley. Satterwhite. Hughes. Savage. Johnson Scott. of Dallam. Shelton. Johnson of Morris. Sherrill. Jones of Shelby. Smith of Bastrop. Jones of Atascosa. Smith of Wood. Kayton. Sparkman. Keller. Stevenson. Kennedy. Steward. Sullivant. Lee. Lemens. Tarwater. Lilley. Terrell Lockhart. of Cherokee. Terrell McDougald. of Val Verde. McGill. Towery. Magee. Van Zandt. Martin. Mathis. Veatch. Wagstaff. Metcalfe. Moore. Walker, Warwick. Munson. Weinert. Nicholson. West of Coryell. Olsen. Patterson. Westbrook. Pope. Wiggs. Ramsey. Young. Ratliff.

Absent.

Bond. Laird. Bradley. Leonard. Long. McCombs. Brooks. Carpenter. Caven. McGregor. Daniel. Mehl. DeWolfe. Moffett. Dowell. Murphy. Dunlap. O'Quinn. Duvall. Petsch. Engelhard. Reader. Rountree. Finn. Holder. Stephens. Holloway. Strong. Turner. Hubbard. Jackson. West of Cameron. Justiss. Wyatt.

Absent—Excused.

Cunningham. Lasseter. Morse. Johnson Vaughan.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 100, "An Act to qualify certain consolidated school districts to receive bonuses and transportation aid under the provisions of the Rural Aid Law for the 1929-31 biennium; authorizing and directing the State Superintendent of Public Instruction to pay such aid out of the current State aid appropriation, and declaring an emergency."

H. B. No. 98, "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency."

H. B. No. 932, "An Act authorizing the county boards of certain counties to set aside an amount not to exceed \$600 to defray the expenses of the county superintendent and the county board of trustees in the administration of scholastic affairs, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 991, "An Act to amend Article 1307 of the Revised Civil Statutes of 1925, and legalizing and validating certain notices heretofore

given, and declaring an emergency."
H. B. No. 536, "An Act to repeal Article 7065, and to amend Articles 7065a, e and j, Section 17, Chapter 88, House bill No. 6, Acts of the Second Called Session of the Fortyfirst Legislature, and declaring an emergency."

H. B. No. 31, "An Act amending Section 17, subdivision 3, of Article 7065n, House bill No. 6, Chapter 88, Second Called Session of the Fortyfirst Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due, and declaring an emergency.'

S. C. R. No. 42, In memory of Hon. A. M. McFaddin.

SENATE BILLS ON FIRST READ-ING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 92, to the Committee on Appropriations.

Senate bill No. 149, to the Committee on Criminal Jurisprudence.

Senate bill No. 234, to the Committee on Judicial Districts.

Senate bill No. 240, to the Committee on Banks and Banking. Senate bill No. 327, to the Commit-

tee on Banks and Banking.

Senate bill No. 341, to the Committee on Criminal Jurisprudence.

Senate bill No. 512, to the Committee on Judicial Districts.

Senate bill No. 612, to the Committee on Public Lands and Buildings.

Senate bill No. 187, to the Committee on Criminal Jurisprudence.

MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 955, A bill to be entitled "An Act amending Chapter 3, Title 51, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency.'

S. B. No. 187, A bill to be entitled "An Act defining unfair discrimination and prohibiting any person, firm, company, association or corporation engaged in the production, manufacture, sale or distribution of any commodity in general use in this State from discriminating between different sections, communities, incorporated cities or towns of this State for the purpose of destroying the business of a competitor in any locality, or for the purpose of fixing, maintaining, increasing or reducing the price of such commodity by selling or distributing such commodity or permitting the sale or distribution of such commodity, and declaring an emergency."

The Senate has adopted the conference committee report on House bill No. 159 by the following vote: yeas 29, nays 0.

Respectfully, BOB BARKER, Secretary of the Senate.

NOTICES GIVEN.

Mr. Davis gave notice that he would, on tomorrow, move to take up, for consideration at that time, Senate bill No. 115, which bill had heretofore been laid on the table subject to call.

Mr. Pope gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 91, which bill had heretofore been laid on the table subject to call.

Mr. McGregor gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 188, which bill had heretofore been laid on the table subject to call.

Mr. Lemens gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 605, which bill had heretofore been laid on the table subject to call.

Mr. Metcalfe gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 15, which bill had heretofore been laid on the table subject to call.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Wagstaff, Senate bill No. 93 was ordered not printed.

On motion of Mr. Herzik, Senate bill No. 539 was ordered not printed. On motion of Mr. Wyatt, Senate

bill No. 603 was ordered not printed.
On motion of Mr. Davis, Senate bill
No. 410 was ordered not printed.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 1019.

The Speaker announced the appointment of the following conference committee on House bill No. 1019:

Messrs. Keller, McCombs, Savage, Holder, Coombes, and Mrs. Hughes.

ADJOURNMENT.

Mr. Johnson of Dimmit moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Coombes moved that the House recess to 7:30 o'clock p. m. today.

Mr. McGregor moved that the House recess to 8 o'clock p. m. today.

Mr. Farrar moved that the House recess to 9 o'clock a.m. tomorrow.

The motion of Mr. Johnson of Dimmit prevailed, and the House, accordingly, at 6:15 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate bills Nos. 35 and 582.

Public Lands and Buildings: Senate bill No. 481.

Agriculture: House bill No. 810. Insurance: Senate bill No. 554. Highways and Motor Traffic: Senate bill No. 38.

Labor: Senate bills Nos. 357 and 360.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room, Austin, Texas, May 5, 1931. Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 100, "An Act to qualify certain consolidated school districts to receive bonus for consolidation and transportation aid; authorizing and directing the State Board of Education to pay such bonus and aid out of the rural aid appropriation for the current biennium or any such funds as may be appropriated for the first year of the biennium 1931-33; defining the duties of the school authorities, and providing the conditions and restrictions concerning the application and use of said funds; providing saving clause, and declaring an emergency,"

Have carefully compared same and

find it correctly enrolled. COX of Lamar, Chairman.

> Committee Room, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 536, "An Act to amend Articles 7065a, 7065e, 7065f, 7065h, 7065j and 7065k, and to repeal Article 7065, Section 17, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 31, "An Act to amend subdivisions (3) and (5) of Article 7065n, Section 17, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Your Committee on Enrolled

Bills, to whom was referred H. B. No. 98, "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 932, "An Act authorizing the county boards of certain counties to set aside an amount not to exceed six hundred dollars (\$600) to defray the expenses of the county superintendent and the county board of trustees in the administration of scholastic affairs; repealing all laws in conflict herewith, and declaring an emergency,'

Have carefully compared same and

find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled

Bills, to whom was referred H. B. No. 991, "An Act to amend Article 1307 of the Revised Civil Statutes of 1925, and legalizing and validating certain notices heretofore given, and declaring an emergency,

Have carefully compared same and

find it correctly enrolled.

COX of Lamar, Chairman.

FIFTY-FIRST DAY.

(Wednesday, May 6, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris. Adams of Jasper. Adamson. Adkins. Akin. Albritton. Alsup. Anderson. Baker. Barron. Beck. Bedford. Bond. Bounds. Boyd. Bradley. Brice. Brooks. Bryant. Burns of Walker.

Burns of McCulloch.

Carpenter. Caven. Claunch. Coltrin. Coombes. Cox of Lamar. Cox of Limestone. Cunningham. Dale.

Davis. DeWolfe. Dodd. Donnell. Dowell. Dunlap. Duvall. Dwyer. Elliott. Engelhard. Farmer. Farrar.

Daniel.

Ferguson. Finn. Fisher. Forbes. Ford. Fuchs. Gilbert. Giles. Goodman.

Graves. Greathouse. Grogan. Hanson. Harman.

Harrison of El Paso. Harrison

of Waller. Hatchitt. Hefley. Herzik. Hill.

Hines Holder. Holland. Holloway. Hoskins. Howsley Hubbard. Hughes. Jackson. Johnson of Dallam. Johnson of Dimmit.

Johnson of Morris. Jones of Shelby. Jones of Atascosa.

Justiss. Kayton. Keller. Kennedy. Laird. Lasseter. Lee. Lemens. Leonard.

Lilley. Lockhart. Long. McCombs. McDougald. McGill. McGregor. Magee. Martin. Mathis. Mehl. Metcalfe.

Moffett. Moore. Munson. Murphy. Nicholson. Olsen. O'Quinn. Patterson. Petsch.

Pope. Ramsey. Ratliff. Ray. Reader. Richardson. Rogers. Rountree. Sanders.

Satterwhite. Savage. Scott. Shelton. Sherrill.

Smith of Bastrop. Smith of Wood.

Sparkman. Stephens. Stevenson. Steward.